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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,888	08/03/2001	Brian Davidson	367.40417X00	9821

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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/920,888

Applicant(s)

DAVIDSON ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagasaka (U.S. Patent No. 6,505,252).

Regarding claims 7, 8 and 10, Nagasaka teaches a transmitter for transmitting an identity tag indicative of the identity of the mobile terminal (i.e., portable radio communication device) (col.10, lines 12-31).

Nagasaka further teaches that the computer system 100 (i.e., object device) comprising a receiver, and a processor (fig.1; col.3, lines 51-56, 63-67, col.4, lines 1-14).

Nagasaka further teaches that the system in response to the receiver receiving an identity tag transmitted from a mobile terminal (i.e., portable radio communication device), the processor authorising the downloading of information via the network to a computer system 100 (i.e., remote server or terminal) in accordance with address information associated with the identity tag (fig.1, fig.2; col.3, lines 51-56, 63-67, col.4, lines 1-14, col.10, lines 12-52).

Regarding claim 9, Nagasaka teaches that the mobile terminal (i.e., portable radio communication device) is inherently a passive device (fig.2; col.10, lines 12-52).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al. (U. S. Patent No. 6,684,087) and in view of Li et al. (U. S. Patent No. 6,345,279).

Regarding claims 1, 2 and 6, Yu teaches a keypad (i.e., sensor) allowing automatic input of data to the cellular phone (i.e., portable radio communication device) (fig.3B; col.4, lines 51-55).

Yu further teaches a client module (i.e., controller) for controlling the device (fig.3B; col.4, lines 49-61).

Yu further teaches a browser which downloads content from the server (fig.3B; col.4, lines 55-59).

Yu further teaches the client module (i.e., controller) responsive to data input via the keypad (i.e., sensor) to control the browser to download content from a server associated with the input data (fig.3B; col.4, lines 51-61).

Yu further teaches account manager (i.e., means) for providing for information personal to a user (fig.4; col.6, lines 11-23).

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Yu fails to teach "contextualisation means which contextualises the downloaded content with the personal information". Li teaches content adaptation process (i.e., contextualisation means) which adapts (i.e., contextualises) the downloaded content with the personal information (fig.3; col.6, lines 3-7, 42-48). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yu to have contextualisation means which contextualises the downloaded content with the personal information as taught by Li. The motivation for the modification is to have doing so in order to personalize the content information.

Regarding claim 3, Yu teaches account manager (i.e., means) for providing for information personal to a user comprises a database (i.e., memory) configured to store the personal information (fig.4; col.6, lines 11-23, 59-67).

Regarding claim 5, Yu teaches keypad (i.e., input means) for inputting inherently personal information by the user (fig.4; col.6, lines 11-23, 59-67).

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al. (U. S. Patent No. 6,684,087) and in view of Li et al. (U. S. Patent No. 6,345,279) and further in view of Holzer (U. S. Pub. No. 2001/0055977).

Regarding claim 4, Yu in view of Li fails to teach "the browser downloading the personal information from a server personal to the user". Holzer teaches the browser downloading the personal information from a server personal to the user (page 4, paragraph 0057). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yu in view of Li to have the browser downloading the personal information from a

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server personal to the user as taught by Holzer. The motivation for the modification is to have doing so in order to verify connectivity of the selected peripheral device with the particular port.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al. (U. S. Patent No. 6,684,087) and in view of Holzer (U. S. Pub. No. 2001/0055977).

Regarding claim 11 is rejected for the same reasons as discussed above with respect to claim 4.

*Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE  
February 3, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

